

From: [Teresa Warnes](#)
To: [Jake Martens](#)
Cc: [Lisa Dennis](#)
Subject: FW: Form submission from: Request to Appear as a Delegation
Date: Tuesday, June 11, 2019 4:31:13 PM

From: Comox Valley Regional District [mailto:no-reply@cverdwebsite.ca]
Sent: June 11, 2019 4:30 PM
To: administration <administration@comoxvalleyrd.ca>
Subject: Form submission from: Request to Appear as a Delegation

Submitted on Tuesday, June 11, 2019 - 16:29

Submitted by anonymous user: 96.54.220.181

Submitted values are:

Name(s) of person(s) speaking: Jenny Steel

Organization Information

Organization you are representing: Curtis Road Residents Association

Primary purpose of the organization: Neighbourhood Advocacy

Number of members: 85

Mailing Information

Mailing address:

City: Comox

Postal code:

Contact name: Jenny Steel

Meeting Details

Subject matter:

Electoral Area B representation on Comox Valley Sewer Services Sewage Commission

Specific request of the regional district, if any (i.e. letter of support, funding):

Request that CVRD Board Amend Bylaw 650 "a bylaw to establish a sewage commission' to include the Director of Electoral Area B as a board

member with voting rights.

Requested meeting date: 25 June 2019

Audio-visual equipment needed: Powerpoint presentation

Information for contact purposes only

Telephone number:

Email address:

The results of this submission may be viewed at:

<https://www.comoxvalleyrd.ca/node/1746/submission/3522>

Comox Valley Regional District Board Electoral Area B Sewage Commission Representation

Curtis Road Residents Association
June 25, 2019

Purpose/Background

- ▶ Request an amendment to CVRD Bylaw 650 to add Electoral Area B as a permanent restricted-voting member of the Sewage Commission
- ▶ Background
 - Although not participants in sewer services, much of the sewage treatment infrastructure lies within Area B - the force-main, the sewage treatment plant and the outfall pipe
 - Area B has no voice or vote on issues and decisions that negatively impact our quality of life -- environmental, social and economic
 - Communication with decision makers is through delegations and correspondence

Proposed Restricted Voting

- ▶ In 1982, the CVRD Board delegated the following Operation and Maintenance Powers to the commission through Bylaw 650:
 - a) Determining the amount of manpower
 - b) Determining rates to be charged for septic tank effluent
 - c) Determining rates to be charged for any compost material
 - d) Selection and procurement of operating equipment**
 - e) Administration of the Sewer Regulation Bylaw
- ▶ We propose that Area B commissioner's voting rights be restricted to selection and procurement of operating equipment (item d above) that may affect odour, noise, visual stigma and ground-water in Area B.
- ▶ This could be an interim measure pending results of the Governance Study

Legislative/Regulatory Framework

- ▶ The Local Government Act (LGA) does not prohibit non-participating area directors from being members of a commission with either full or limited voting rights
- ▶ Under LGA Section 340 1 (c), only the Board is allowed to establish, by Bylaw, the membership and voting rules of a committee/commission
- ▶ Under LGA Section 214 (c) voting rules for delegation of board power, duty or function are 2/3 votes cast
- ▶ “It is for the board to determine what it considers to be the most appropriate balance in operating a service for participants and representing those who do not participate but are affected. ”

Ministry of Municipal Affairs , Response to CRRRA Correspondence, May 6 2019

Why Area B needs Representation

Issues

- ▶ Odour, Visual and Noise stigmas from the plant impact our quality of life and property values -- 35 years of problems
- ▶ Decisions affecting us are not known until plans are well advanced – recent examples are the pump station, the decision to fix only 80% of the odour problem and the EQ Basin
- ▶ Representation through delegation and correspondence is inefficient and frustrating
- ▶ DND, an un-elected official, holds the tying commission vote while Area B doesn't have even a voice

Why we need representation

Upcoming Projects/Issues

- ▶ Short-term discussions/decisions:
 - Bio-reactor Odour Controls
 - EQ Basin Issues
 - Odour standards
 - Good Neighbour Policy
 - Communications Protocol
 - Host Community Compensation
- ▶ Governance Study
- ▶ Liquid Waste Management Plan
 - Area B has no representation on the project steering committee
- ▶ Sewer System Upgrades
 - Force-main replacement
 - 2024 plant expansion plans
 - 2031 plant expansion plans
 - Outfall pipe replacement

Arguments against a seat

▶ **Need to pay to play**

- Our contribution is through reduced quality of life and property values
- Our taxes contribute to federal and provincial infrastructure grants used by sewer services
- Area B contributes through septage fees

▶ **A seat to a non-participating director would set a precedent**

- We could find no other sewage treatment plant in the province where a sewage treatment plant is located in a non-participating area – the situation is unique
- Other commissions in the province have non-participating members

▶ **Wait for the Utilities Governance Review**

- 2018 consultant report at a high level and made no recommendations
- June/July 2019 CVRD along with Courtenay/Comox Engineers will determine recommendations -- no Electoral Area B participation
- November 2019 – recommendation will likely be to address each utility separately

Arguments against a seat (continued)

▶ The status quo works well

- Status quo is one-way and inefficient with no opportunity for discussion, debate, to correct misconceptions or to explore solutions
- Our association should not have to read every report and follow every project -- we really don't want to know so much about sewage treatment. The status quo leaves us no choice
- Our association doesn't represent all of Area B nor all of the plant's neighbours – onus should not be on a neighbourhood association
- Status quo brings stress for both sides -- lots of work, bad press....
- We have an elected official who is willing and able to represent our community.

▶ Fear that Electoral Area B issues will dominate the agenda

- If the chronic problems were fixed and ground-rules put in place then this would be unlikely -- currently dealing with the backlash of 35 years of sewer services foot dragging, penny pinching and callous indifference to plant neighbours

Arguments in favor of a seat

- ▶ Better decision making – problems and impacts on Area B will be assessed earlier in the project lifecycle
- ▶ Efficiency – Area B director vs. several resident associations
- ▶ Democratic thing to do – status quo is patently unfair
- ▶ Help establish trust – build a good neighbour relationship
- ▶ Cost to Comox and Courtenay is zero
- ▶ Allows Electoral Area B citizens to get on with our lives
- ▶ Can be revisited under the Governance Study

Conclusion

- ▶ We believe this is a balanced, democratic and fair approach which:
 - Respects accountability to Comox/Courtenay constituents
 - Respects our rights for representation on issues affecting our lives
- ▶ We ask the board to give serious consideration to this request and help provide a path to ending 35 years of problems

Thank you for your consideration